

**CHAPTER NO. 128**

**HOUSE BILL NO. 659**

**By Representatives Ferguson, Bowers, Sherry Jones, Newton, Lewis, Brenda Turner, Rinks, Eckles, Lois DeBerry, Gunnels, McKee, Tindell, Harwell, Caldwell, Towns, Hassell, Scroggs, Arriola, Cooper, Buck, Bittle, Ridgeway, Fraley, Stulce, Winningham, Hargett, Baird, Fitzhugh, Langster, Bone, West, Pleasant, Walker, Hagood, Montgomery, Buttry**

**Substituted for: Senate Bill No. 611**

**By Senators Davis, Herron**

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 11, Part 1 relative to bail in domestic violence cases.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-11-150, is amended by adding the following as a new, appropriately designated subsection:

Any offender arrested for any criminal offense defined in Title 39, Chapter 13, in which the alleged victim is a family or household member shall not be released within twelve (12) hours of such arrest if the magistrate or other official duly authorized to release such offender finds that such offender is a threat to the alleged victim. Such official may, however, release the accused in less than twelve (12) hours if the official determines that sufficient time has or will have elapsed for the victim to be protected.

Such written findings must be attached to the warrant and shall be preserved as a permanent part of the record. The arresting officer shall make official note of the time of the arrest in order to establish the beginning of the twelve-hour period provided for in this subsection.

SECTION 2. Tennessee Code Annotated, Section 40-11-150(f)(1), is amended by deleting the punctuation "," after the word "release" and by substituting instead the following language:

and of the address and telephone number of the nearest source of assistance to victims of domestic violence, including, but not limited to, shelters, counseling centers or other appropriate community resources;

SECTION 3. This act shall take effect July 1, 1999, the public welfare requiring it.

PASSED: May 5, 1999

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 12th day of May 1999

  
DON SINKQUIST, GOVERNOR